IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5573 OF 2005
IN
CRIMINAL APPEAL NO. 659 OF 2005

Mahaveer Babu Sanadi ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. N.S. Mundargi, Advocate for Applicant

Ms. S.V. Gajare, A.P.P. for State.

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CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 7TH OCTOBER, 2005

P. C.:-

1. Heard both sides.

2. The applicant is seeking bail. The applicant has been convicted under Section 7, 13(1)(d) r.w. 13(2) of Prevention of Corruption Act. The maximum sentence of imprisonment imposed on the applicant is two years.

3. It is stated by the learned advocate for the applicant that the applicant was on bail pending the trial and this liberty has not been misused by him. This statement has not been controverted by the prosecution. It is further submitted by the learned

advocate for the applicant that the maximum sentence imposed on the applicant is two years and this appeal is not likely to be heard within the said time.

4. The Supreme Court in the case of **Bhagwan Rama Gosai and Ors. Vs. State of Gujrat reported in (1999) 4 SCC 421,** has observed that if the sentence is of limited duration and the appeal cannot be heard expeditiously, then bail should be granted. It is not possible to hear the present appeal expeditiously. In view of all the facts and circumstances, I am inclined to grant bail.

5. The sentence of imprisonment is suspended and the applicant Mahaveer Babu Sanadi to be released on bail in the sum of Rs.25,000/- with one or two sureties to make up the said amount.

6. Application is disposed of.

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